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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,763	12/03/2003	John A. Helgenberg	TN322	7575

7590 01/13/2006

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EXAMINER

KING, ANITA M

ART UNIT PAPER NUMBER

3632

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/727,763	Applicant(s) HELGENBERG ET AL.	
	Examiner Anita M. King	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 6-19 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This is the third office action for application number 10/727,763, System and Method for Mounting a Computer Component, filed on December 3, 2003.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 2, 4, 6, and 8-18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,842,383 to Yamada et al., hereinafter, Yamada. Yamada discloses a system capable of mounting a computer component, comprising: at least one rail (1), the rail having first (12) and second mounting portions, the first mounting portion defining a recess and the second mounting portion having at least one detent (54); first and second supports (2 & 5), the first support having an extension (23) extending into the recess of the first mounting portion of the rail and allowing sliding of the first mounting portion of the rail relative to the first support, the second support defining at least one aperture receiving the detent of the second mounting portion of the rail relative to the second support; wherein the recess is substantially parallel to the rail and the rail is substantially orthogonal to the first support, so that the rail slides substantially orthogonally to the first support; wherein the second mounting portion has a plurality of detents (6); wherein the plurality of detents extend from a surface of the rail; having a plurality of detents on the second mounting portion of the rail and a corresponding plurality of apertures defined in the second support; wherein the at least one recess is oriented along a plane and the extension is positioned in the plane of the at least one recess when the extension is in the first position; wherein the width of the extension is greater than the width of the at least one recess; and wherein the

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extension is away from the plane of the recess when the extension is in the second position.

Yamada inherently teaches a method of mounting a rail comprising the steps of: positioning the rail; engaging a recess; engaging a detent; limiting the sliding movement of the rail; moving a second extension to a position substantially preventing sliding movement of the rail; and sliding the rail between first and second positions.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of U.S. Patent 2,774,542 to Anthony. Yamada discloses the claimed invention except for the limitation of at least one aperture comprising a first portion and a second portion. Anthony teaches a rail having an aperture including a first portion (16) and a second portion (15) being sized to receive the detent (11) along an axis of the detent and the second portion being sized preventing removal of the detent along the axis of the detent. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the aperture in Yamada to have included the aperture as taught by Anthony for the purpose of providing a quick and efficient means for attaching the rail to the second support member.

Allowable Subject Matter

Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

In response to applicant's argument that Yamada does not disclose all the limitations of the instant invention, the examiner notes the miss quote of claim 1 in regards to the rail sliding substantially orthogonally to the first support, however, the examiner believes that the Yamada reference is still applicable. The first support member (2) of Yamada is horizontally positioned as applicant's support 12 of the claimed invention, the rail (1) in Yamada is slidably received in the opening of the first support in Yamada in the same manner as the rail 16 is slidably received by the first support in applicant's claimed invention, hence, the rail is substantially orthogonal to the first support and slides substantially orthogonally to the first support in the same manner as the rail slides in relation to the first support of applicant's claimed invention shown in Fig. 3. Thus, the Yamada reference in the examiner's view still applicable to claims 1,2, 4, and 6-19.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO


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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anita M. King
Primary Examiner
Art Unit 3632

January 9, 2006